

# DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES (DSPD)

## WHAT DOES DSPD DO?

Provides long-term supports and services for people with disabilities so they can participate fully in their communities and in Utah life. The Division also promotes public awareness and acceptance of people with disabilities.

## WHO IS ELIGIBLE FOR SERVICES?

Children and adults **may** be eligible for services if they have the following qualifying disabilities:

- Mental retardation: a disorder in which a person's overall intellectual functioning is well below average--an intelligence quotient (IQ) of 70 or less. Individuals with mental retardation have a significantly impaired ability to cope with common life demands and lack some daily living skills expected of people in their age group and culture. The impairment may interfere with learning, communication, self-care, independent living, social interaction, play, work, and safety. Mental retardation appears in childhood, before age 18.
- Cerebral palsy: a medical condition caused by a permanent brain injury that occurs before, during, or shortly after birth. It is characterized by a lack of muscle control and body movement.
- Autism: a disorder of brain function that appears early in life before the age of 3. Children with autism have problems with social interaction, communication, imagination, and behavior.
- Severe epilepsy: a chronic brain disorder that causes seizures, characterized by a variety of symptoms including uncontrolled body movements, disorientation or confusion, or loss of consciousness. Epilepsy may result from a head injury, stroke, brain tumor, lead poisoning, genetic conditions, or severe infections.
- Acquired brain injury: the result of a traumatic injury to the head or a stroke, hypoxia, toxic exposure, or intracranial surgery that results in substantial impairment in cognitive abilities or physical functioning.
- Adults with physical disabilities who cannot use 2 or more limbs.

and if they

have severe functional limitations that are likely to continue throughout their life in three or more of the following life activity areas:

- Self-care: a person requires assistance or training in eating, toileting, bathing, dressing or grooming.
- Receptive and expressive language: a person who lacks functional communication and does not demonstrate an understanding of simple two-step requests.

- Learning: see Mental Retardation above.
- Mobility: a person who requires assistive devices to be mobile and who cannot evacuate themselves in an emergency.
- Self-direction: a person who is significantly below average in making appropriate decisions relating to safety, legal, financial, or residential issues or someone who has been legally declared incompetent.
- Capacity to live independently: a person who does not have the basic survival skills necessary to live in the community or someone who is a significant danger to themselves or others.
- Capacity to become economically self-sufficient: An adult who receives disability benefits or who is unable to work 20 hours a week or is paid less than minimum wage without employment support.

## TIPS



- The Division of Services for People with Disabilities is **not** the agency for people whose disability or primary need for treatment is due primarily to:
  - ▶ Mental illness or Behavior disorder (depending on how the behavioral disorder is defined and diagnosed)- Contact the local mental health agency.
  - ▶ Learning Disabilities- Contact local school.
  - ▶ Blindness or severe hearing impairment – Contact the local school district or the Division of Rehabilitation Services.
  - ▶ Conditions due to aging - Contact the local Area Agency on Aging.
- The Division of Services for People with Disabilities is not the only source of services and supports for people with disabilities. Other resources include:
  - ▶ the State Department of Health, which operates private intermediate care facilities (24 hour residential programs in a larger congregate living or institutional setting) for eligible individuals with mental retardation (ICF/MR).
  - ▶ the public education system provides many services for children with disabilities up to age 22.
  - ▶ the State Division of Rehabilitation Services provides short-term services.
- People receiving services from the Division of Services for People with Disabilities tend to be long-term consumers of Division services. Generally, people do not rotate in and out of Division services. New people can enter services only when funding becomes available due to increased legislative appropriations, a consumer moves out of the state, a consumer experiences a reduction in services, or a consumer passes away. Therefore, the Division maintains a **waiting list** of people who are eligible for services but for which funds are not yet available.

## WHERE ARE SERVICES LOCATED?

<b>American Fork Office</b> 861 E 900 N American Fork UT 84003 (801) 763-4100 Fax (801) 763-4316	<b>Blanding Office</b> 522 North 100 East Blanding UT 84511 (435) 678-1440 Fax (435) 678-1445	<b>Brigham City Office</b> 1050 South 500 West Brigham City UT 84302 (435) 734-4075 FAX (435) 734-4078
<b>Cedar City Office</b> 106 North 100 East Cedar City UT 84720 (435) 865-5650 Fax (435) 865-5666	<b>Clearfield Office</b> 1350 East 1450 South Clearfield UT 84015 (801) 776-7300 Fax (801) 525-0392	<b>Delta Office</b> 39 South 300 East P O Box 1038 Delta UT 84624 (435) 864-3869 Fax (435) 864-2630
<b>Heber Office</b> 69 North 600 West Heber City UT 84032 (435) 657-4206 Fax (435) 657-4220	<b>Layton Office</b> 523 W Heritage Blvd, Suite 3 Layton UT 84041 (801) 779-6700 Fax (801) 779-6730	<b>Logan Office</b> 115 Golf Course Rd, Ste C Logan UT 84321 (435) 787-3450 Fax (435) 787-3469
<b>Manti Office</b> 50 South Main Street, Ste 5 Manti UT 84642 (435) 835-0795 Fax (435) 835-0798	<b>Moab Office</b> 1165 S Highway 191 Moab UT 84532 (435) 259-3728 Fax (435) 259-3739	<b>Nephi Office</b> 54 North Main Street P O Box 45 Nephi UT 84648 (435) 623-2431 Fax (435) 623-2892
<b>Ogden Office</b> 2540 Washington Blvd 3rd Floor Ogden UT 84402 (801) 626-3300 Fax (801) 626-3153	<b>Park City Office</b> 1764 Prospector Square Park City UT 84060 (435) 645-8703 Fax (435) 649-0351	<b>Price Office</b> 475 W Price River Dr #262 Price UT 84501 (435) 636-2390 Fax (435) 636-2397
<b>Provo Office</b> 150 East Center Street Provo UT 84606 (801) 374-7005 Fax (801) 374-7638	<b>Richfield Office</b> 201 East 500 North Richfield UT 84701 (435) 896-1281 Fax (435) 896-1272	<b>Salt Lake City Office</b> 655 East 4500 South, Suite 200 Salt Lake City UT 84107 (801) 264-7620 Fax (801) 264-7672
<b>Spanish Fork Office</b> 607 East Kirby Lane Spanish Fork, UT 84660 (801) 794-6700 Fax (801) 794-6686	<b>St George Office</b> 377 E Riverside Dr Bldg B Ste A St George UT 84790 (435) 674-3961 Fax (435) 674-3939	<b>Tooele Office</b> 305 North Main Street Tooele UT 84074 (435) 833-7355 Fax (435) 833-7345
<b>Vernal Office</b> 980 W. Market Drive Vernal, UT 84078 (435) 789-9336 Fax (435) 789-6639	<b>Ut St Developmental Ctr</b> 895 N 900 East American Fork UT 84003 (801) 763-4090 Fax (801) 763-4024	

## WHAT ARE THE INTAKE AND REFERRAL PROCEDURES?

The first contact should be with the intake worker. The intake worker will discuss the information required and the associated timeframes for submitting the needed information. This information may include:

- Form 19 (Division's eligibility for services document), signed by a physician or psychologist, which certifies the diagnosis and severity of disability.
- Inventory for Client and Agency Planning (ICAP) form that identifies skills, deficits, and problem behaviors.
- Social history

- Psychological or medical evaluation

The intake worker uses this information to:

- Determine eligibility;
- Determine Medicaid eligibility;
- Identify needed services and supports; and
- Place people on the waiting list if funds for services are not immediately available.

**TIP**



A great deal of information is necessary to determine eligibility and to identify needed services. So, start the process as early as possible.

### WHAT HAPPENS WHEN PEOPLE MEET ELIGIBILITY REQUIREMENTS, BUT DO NOT RECEIVE SERVICES RIGHT AWAY?

- Services are provided to those with the most critical needs when funding is available to pay for these services. More often than not, the Division is not able to offer immediate services to eligible individuals so they are placed on the waiting list.
- The Division determines how critical the need is by using a standardized evaluation called the Needs Assessment. Members of local committees assess an individual based on a variety of factors including:
  - ▶ severity of disability and problem behaviors exhibited;
  - ▶ family's strengths and weaknesses;
  - ▶ special medical needs;
  - ▶ health and safety issues;
  - ▶ availability of other resources;
  - ▶ projected deterioration of disability without services;
  - ▶ length of time without services.

A "needs" score is established which indicates the level of need. People with the highest scores have the first priority for services. This score determines a person's rank order on the waiting list.

**TIPS**



- The needs assessment can be redone if a person's situation changes or there is suspected change in one or more of the factors. To initiate this process, request another assessment from the intake worker and state the reasons why.
- Currently, there are about 1,900 people waiting for services for which funding is not available. Funding is based on legislative appropriations.

### WHO PROVIDES SERVICES?

#### **PRIVATE PROVIDER MODEL**

- The Division contracts with a number of independently owned providers that provide a variety of services across the state.
- Some providers specialize in a particular type of service or specialize in working with a particular type of disability.
- The state certifies and/or licenses these providers and closely monitors their services.

### **FAMILY MANAGED OR SELF-ADMINISTERED MODEL (SAM)**

This option is typically limited to respite care and other types of family support. Families who choose this option must do the following:

- Hire and train their own staff and have more control over who provides the supports and services to their family member who has a disability;
- Hire a fiscal agent who is responsible for payroll functions;
- Comply with certain defined regulations;
- Complete administrative work that private providers generally do.

This is considered “sweat equity” so not all families are interested in, nor may be appropriate for, this option.

## **WHAT SERVICES ARE PROVIDED?**

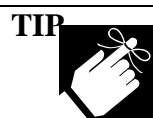
### **SERVICES FOR CHILDREN**

- Respite Care: temporary care to relieve parents or caregivers from the day-to-day care they provide to the person with a disability.
- Family Assistance and Support: includes activities such as assistance with daily activities, help with therapies, assistive technology and/or environmental modifications.
- Host Home or Professional Parent Services: an out-of-home service in the private home of specially trained families. These families also have a variety of specialized backup services offered through a private provider agency.

### **SERVICES FOR ADULTS**

- Supported Employment: includes job development, placement, intensive on-the-job training, and supervision by a job coach.
- Day Services: include daytime supervision and support to develop and maintain self-help skills, community living skills, social skills, and communication skills.
- Senior Supports: similar to day services, but designed for the needs of, and paced for, older adults.
- Respite Care: (See description listed for Services for Children.)

- Host Home: (See description listed for Services for Children.)
- Supported Living: services provided in the person's home to help support the person's independence.
- Supervised Living: residential services offered in a group home or supervised apartment. Level of supervision is determined by the individuals' needs and can vary from intensive 24-hour to intermittent supervision.
- Utah State Developmental Center: Utah's only state-operated intermediate care facility—a 24-hour institutional setting. The Center offers intensive medical, behavioral, psychological and dental services to those over age 18. Admissions are limited and require an intensive screening and court commitment process. Services are designed for:
  - ▶ very medically fragile individuals;
  - ▶ those requiring psychiatric evaluation and stabilization;
  - ▶ offenders who need intensive supervision;
  - ▶ those with severe disabilities who cannot be served in less restrictive settings.



The availability of these services is, in part, determined by the availability of funds. Because they are less expensive services, in-home services such as respite and family assistance or support tend to be more readily available or have shorter waits. Again, these are offered first to the people with the highest rated needs.

#### WHERE ARE SERVICES LOCATED?

The Division tries to insure that the full array of services is available throughout the state. However, the full array of services may be more limited in the rural parts of the state. The family-managed model has created more flexible options, particularly for rural residents who may have fewer available traditional services.



Specialized providers, for example, a provider who works primarily with people with autism, are more likely to be in urban areas of the state.

#### WHERE ARE SERVICES LOCATED?

<b>Central Region</b> 655 East 4500 South #200 Murray, Utah 84107 (801) 264-7620 Region Director: Georgia Baddley (801) 264-7617	<b>Northern Region</b> Clearfield Office 1350 East 1450 South Clearfield, Utah 84015 (801) 776-7300 Region Director: John Schoenfeld (801) 776-7436
<b>Eastern Region</b> Vernal Office 980 W. Market Drive Vernal, Utah 84078 (435) 789-9336 Region Director: Gerald Ulwelling (435) 789-9336 ext 1215	<b>Western Region</b> Provo Office 150 East Center Suite 5100 Provo, Utah 84606 (801) 374-7005 Region Director: Susan MacNamara (801) 374-7815

## DISABILITIES OMBUDSMAN

Provides an avenue for consumers in the Division of Services for People with Disabilities (DSPD) to voice their concerns about services, and helps to improve services and service delivery systems to consumers by engaging the following activities:

- Help to mediate and resolve conflicts between consumers, providers and DSPD
- Support and encourage actions that will improve services
- Track trends that impact services

## WHAT DOES THE DISABILITIES OMBUDSMAN DO?

- Mediates conflicts between DSPD consumers and the agencies providing services- ultimately conflict resolution is the responsibility of DSPD
- Maintains a database on the concerns or complaints assessed in an evaluation
- Collects statistical data
- Tracks trends
- Evaluates and follows-up on concerns and/or complaints filed by or in behalf of consumers or any persons who qualify as consumers of DSPD services in the following areas:
  - ▶ Matters that effect the health, safety and/or welfare of consumers;
  - ▶ Rules, policies and laws, and how they effect services to consumers;
  - ▶ Policies and practices that diminish consumer dignity and independence;
  - ▶ Questions of consumer rights;
  - ▶ Questions concerning access to appropriate services;
  - ▶ Quality of services provided to consumers; and
  - ▶ Concerns raised in an Adult Protective Services investigation.

## WHAT ACTIONS CAN I EXPECT THE DISABILITIES OMBUDSMAN TO TAKE TO RESOLVE MY COMPLAINT?

- Provide information at intake and not formally open an evaluation
- Refer complainant to a more appropriate agency
- Take information and pass the issues on to DSPD for resolution and follow-up, and require a report from DSPD
- Interview the subject(s) of a concern or complaint
- Make site visits
- Gather and analyze information pertinent to the evaluation
- Review policies, practices and procedures of any agency providing services to the subject of a concern or complaint
- Examine part or all pertinent records held by any agency providing services to the subject of a concern or complaint

- Mediate and advocate on behalf of the consumer
- Conduct mediation roundtables with family members, friends, guardians, concerned parties, and/or all agencies providing services to the subject of a concern or complaint
- Make recommendations, issues reports, and monitor practice improvement opportunities and remedies that are identified as a means of resolving a concern or complaint
- Request and receive documentation on follow-through with the agreed upon remedies from members of the mediation roundtable

#### TIPS



- The Disabilities Ombudsman services are short-term and only available to consumers of DSPD services.
- Before contacting the Disabilities Ombudsman, please try to resolve your concerns with your DSPD support coordinator.
- The Disabilities Ombudsman does not intervene in crisis situations.
- Persons on the DSPD waiting list may be served by the Disabilities Ombudsman in areas relating to fair and respectful treatment at the time of intake.
- The Disabilities Ombudsman cannot alter a person's position on the DSPD waiting list.
- Many concerns can be resolved by the DSPD specialist in regards to Constituent Services, Eligibility, and Crisis Intervention. Call (801) 538-4200 to contact a specialist in your area of concern.

#### WHO DO I CALL IF I HAVE QUESTIONS?

Thomas Dunford  
Disabilities Ombudsman  
1-800-868-6413  
In Salt Lake call 801-538-4373

#### ADMINISTRATION

##### Mailing & Street Address

120 North 200 West, Suite 411  
Salt Lake City, Utah 84103  
(801) 538-4200; Fax (801) 538-4279

George Kelner	Acting Director	(801) 538-4208
Paul Day	Assoc Div Dir of Admin. Support Systems	(801) 538-4118
Scott Kline	Acting Assoc Div Dir Service Delivery Systems	(801) 538-8299
Clay Hiatt	Fiscal Management	(801) 538-4198
Alan Tribble	Eligibility	(801) 538-4351

#### ACRONYMS & DEFINITIONS

##### **Assistive Technology:**

Any type of device or service that can be used to increase, maintain, or improve the capability of persons with disabilities.



<b>Brain Injury (BI) Waiver:</b>	An approval to waive certain requirements in order to use Medicaid funds to assist people with traumatic brain injury.
<b>Developmental Disability/Mental Retardation (MR/DD) Waiver:</b>	An approval to waive certain Medicaid requirements in order to use funds to assist people with developmental disabilities and/or mental retardation.
<b>Disability:</b>	Mental retardation, autism, cerebral palsy or other developmental disability; brain injury; or severe physical disability that qualifies a person to receive Division funding.
<b>Family Assistance &amp; Supports/Family Support:</b>	Assistance provided to families so they can care for family members with disabilities at home. The support includes, but is not limited to, respite care, cash assistance, in-home training, transportation, equipment, and therapeutic services.
<b>Family-Service Plan (FSP) and/or Individual Service Plan (ISP):</b>	A plan similar to a Person-Centered Plan to support families who have a child with a disability and/or an individual with a disability to live as much like other families and individuals as possible.
<b>Family Council:</b>	A group of parents who work together to improve the quality of life for people with disabilities and to advise local Division offices.
<b>Fiscal Agent/Intermediary (FA/I):</b>	A company that is hired to handle payroll duties for those who use the self-directed support model.
<b>Home and Community Based Waiver (HC/BW):</b>	An approval to waive certain requirements in order to use Medicaid funds for an array of home and community-based medical assistance services as an alternative to institutional care.
<b>Host Home:</b>	Specially trained individuals or families who care for a child or adult who may need out-of-home placement for a short or extended period of time.
<b>Individual Education Plan (IEP):</b>	Directs the services for a child with a disability in a school district.
<b>Inclusion:</b>	The process of enabling persons with disabilities to be educated, live, work and participate socially in the same environment as others who are not labeled disabled. Inclusion is also used by educators to

refer to the integration of children with disabilities into regular classes for part or all the school day.

**Intermediate Care Facility/**

A 24-hour residential facility for persons with mental retardation.

**Mental Retardation (ICF/MR):**

**Monthly Summary:**

A summary of daily notes required at the end of each month to be given to the support coordinator. This is a Medicaid waiver requirement.

**Natural Supports:**

The family and people in the community who support the person with a disability (without payment).

**Needs Assessment:**

A tool used by the Division to prioritize the needs of individuals on the waiting list.

**Plan to Achieve Self-Sufficiency (PASS) Plan:**

Allows a person receiving Social Security benefits to set aside money received to help achieve self-sufficiency without losing benefits.

**Person-Centered Plan (PCP):**

A plan developed with and for a person with disabilities that describes the strengths, preferences, needs and the dreams of the individual and the supports and services required and desired.

**Physical Disability (PD) Waiver:**

An approval to waive certain requirements in order to use Medicaid funds for people with physical disabilities to help them maximize their independence in their choice of home, work, school, community and daily activities.

**Provider Companies/  
Provider Agencies:**

Independent companies that contract with the Division to deliver supports and services to people with disabilities.

**Rates:**

The amount that the Division pays for each service/support for an individual to a provider company or individual.

**Respite:**

Temporary relief from the day-to-day care of a family member with a disability.

**Self-Advocate:**

A person with disabilities who advocates for their own supports.

<b>Self-Determination:</b>	The philosophy of empowering a client to develop and make their own choices and plans, and directing some or all aspects of their life.
<b>Self-/Family-Directed Supports:</b>	Supports and services directed by the person/family receiving the service.
<b>Support Coordinator:</b>	An employee of the Division who works with individuals with disabilities and their families to develop service and support plans, based on the individual's needs and wishes, and to coordinate and monitor the services and supports provided.
<b>Support Strategies:</b>	The detailed steps for accomplishing the outcomes of a Person-centered or Family-centered plan.
<b>Transition:</b>	The process of moving from one environment or stage of life to another. This often refers to a person with a disability leaving the school system and entering the adult world.
<b>Waiting List:</b>	A list of eligible individuals who have completed the application process for services but are not yet funded. The list is prioritized according to the Critical Needs Assessment.

